

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ADVANCED CARDIOVASCULAR
SYSTEMS, INC. and GUIDANT SALES
CORPORATION,

Plaintiffs,

v.

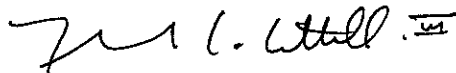
MEDTRONIC VASCULAR, INC. and
MEDTRONIC USA, INC.,

Defendants.

Civil Action No. 98-80 (SLR)
(Consolidated with C.A. No. 98-314
(SLR) and C.A. No. 98-316 (SLR))

**RESPONSE OF ADVANCED CARDIOVASCULAR SYSTEMS, INC.
AND GUIDANT SALES CORPORATION IN OPPOSITION TO MEDTRONIC'S REQUEST
FOR ORAL ARGUMENT**

Pursuant to D. Del. Local Rule 7.1.4, Plaintiffs Advanced Cardiovascular Systems, Inc. and Guidant Sales Corporation (collectively "ACS") oppose Medtronic's request for oral argument. As has been well-established in ACS's briefing, there is simply no basis for the Court to find inequitable conduct in this matter. For this reason alone, ACS believes oral argument would not be a wise use of the Court's and the parties' resources. In addition, as the Court will recall from the end of the inequitable conduct trial, the parties were permitted time to provide closing argument. Thus, ACS respectfully suggests that Medtronic already has been provided ample opportunity to present argument to the Court and further argument is unwarranted. However, if the Court believes further oral argument would be helpful, ACS is prepared to attend at the Court's convenience.



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Dated: October 12, 2005

CERTIFICATE OF SERVICE

I hereby certify that on October 12, 2005, I electronically filed the foregoing document with the Clerk of Court using CM/ECF which will send notification of such filing, and hand delivered, to the following:

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I hereby certify that on October 12, 2005 I transmitted the document by Federal Express to the following non-registered participant:

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